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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/045,786

01/11/2002

Sandra Lynn Carrico

2001-0416

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03/02/2005

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,786

Applicant(s)

CARRICO ET AL.

Examiner

Shawki S Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5 are presented for examination.

References in applicant's IDS form 1449 have been considered.

Drawings

New corrected drawings are required in this application because they contain handwritten reference numbers. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the receiving step" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the receiving step" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 contains some missing words. It is unclear what is claimed in the claim.

Claim Rejections - 35 USC §102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by

Murakawa U.S. Patent Application Publication No. **U.S. 2001/0020273**.

6. As to claim 1, Murakawa teaches a method of sending a packet from a first IPsec client to a second IPsec client, comprising the steps of:

receiving at a non-proprietary format tunneling protocol server from the first IPsec client an IPsec packet mapped in the non-proprietary tunneling format (see Fig. 1, Page 3, paragraph [0071]);

creating a non-proprietary format tunneling protocol tunnel to the second IPsec client through the non-proprietary format tunneling protocol server (see Fig. 1, Page 3, paragraph [0072]);

establishing a security association between the first and second IPsec clients via

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the non-proprietary format tunneling protocol server (see Fig. 1, Page 3, paragraph [0072]);

transmitting the packet through the non-proprietary format tunneling protocol tunnel to the second IPSec client whereby the packet remains unaffected by any address translation or firewall traversal that may occur during transmission (see Fig. 1, Page 3, paragraph [0071]-[0075]).

7. As to claim 2, Murakawa teaches the method according to claim 1 wherein the non-proprietary tunneling protocol comprises a Layer-2 Tunneling Protocol (L2TP) protocol (see Fig. 1, Page 3, paragraph [0066]-[0067]).

8. As to claim 3, Murakawa teaches the method according to claim 2 wherein the receiving step includes the steps of:

opening an L2TP tunnel between the first IP client and the server; and communicating an IPSec packet wrapped in an L2TP format to the server (see Fig. 1, Page 3, paragraph [0071]-[0075]).

9. As to claim 4, Murakawa teaches the method according to claim 2 wherein the receiving step includes the step of routing an IPSec packet wrapped in an L2TP format to the server via a public address (see Fig. 1, Page 3, paragraph [0071]-[0075]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
February 18, 2005



Bharat Barot
SHARAT BAROT
PRIMARY EXAMINER